

REMARKS

Reconsideration of the present application is respectfully requested.

Summary of Office Action

Claims 1-4, 7, 9-12, 15, 18-28, 34-35, 38-39, 42, 44 and 47-48 stand rejected under 35 U.S.C. § 103(a) based on Dawson 6,311,213 ("Dawson") in view of Corbin 5,138,712 ("Corbin").

Claims 13-14, 29-32, 40-41 and 43 stand rejected under 35 U.S.C. § 103(a) based on Dawson and Corbin, and further in view of Theimer 5,649,099 ("Theimer").

Claims 17 and 46 stand rejected under 35 U.S.C. § 103(a) based on Dawson and Corbin and further in view of Luk 2006/0195616 ("Luk").

Claims 35 and 38 are objected to because they refer respectively to method claims 30 and 33.

Summary of Examiner Interview

A telephonic interview was conducted between the Examiner and Applicants' representative (the undersigned) on August 5, 2009. During the interview, independent claim 50, references Dawson (US 6,311,213) and Corbin (US 5,138,712) were discussed. In particular, Applicants' representative presented arguments as substantially reflected in the remarks below. No particular agreement was reached, however, the Examiner agreed to give full consideration to Applicants' arguments when formally submitted (i.e., in this response).

Summary of Amendments

Claims 1-4, 7, 9-15, 17-21, 24-32, 34-35, 38-44, and 46-48 have been canceled. Claims 50-83 are newly added. No new matter has been added.

Paragraph 42 of the specification has been amended. The amendment corrects the name of a file (e.g., `fpcompletion.idl`) used to facilitate communication between a filer and a policy engine. The error would have been readily apparent to persons having ordinary skill in the art, and therefore, its correction does not add new matter.

Discussion of Rejections

The present invention is generally directed to a technique for controlling the servicing of client requests received by a storage server. A concern of the present invention is that, in a storage network with multiple clients, unbridled access and control of a storage server's processes may have a negative impact on its performance. Therefore, the present invention provides that, when receiving a client request, the storage server determines whether or not to invoke a policy engine according to a specified criterion of the policy engine. If the client request satisfies a specified criterion associated with a specified policy of the policy engine, the storage server invokes the policy engine to satisfy the client request. If the client request does not satisfy a specified criterion associated with a specified policy of the policy engine, the storage server satisfies the client request without invoking the policy engine.

Although Applicants' arguments here are directed to the cited combination of

references, it is necessary to consider their individual disclosures, in order to ascertain what combination, if any, could be made from them.

Claims 50, 63, 73

To render a claim obvious, the Examiner must account for each limitation of the claim. Referring to the claims of the present invention, claim 50 (new) essentially includes the limitation of determining in the storage server whether to invoke a policy engine in relation to a client request, by determining whether the client request satisfies a specified criterion associated with a specified policy of the policy engine (or substantially similar language). Claim 50 further includes the limitations of satisfying the client request by the storage server without invoking the policy engine if the client request is determined (by the storage server) not to satisfy a specified criterion associated with a specified policy of the policy engine, but satisfying the client request by invoking the policy engine if the client request is determined (in the storage server) to satisfy a specified criterion associated with a specified policy of the policy engine (or substantially similar language). Support for these claim language can be found in Applicants' specification at, *inter alia*, paragraph [0029].

Neither Dawson, nor Corbin, nor any combination thereof, discloses or suggests the limitations as substantially recited in claim 50. Dawson discloses a method for storing data in a network computing environment, and is directed to eliminating the requirement for actual physical media locally attached to the source server (Abstract, Dawson). There is only a single instance of policy being mentioned in Dawson, which is

in col. 6, lines 1-5, Dawson. That policy relates to determining in the target server whether data is stored on the target server or backed up to tape library. But notably, the source server in Dawson does not make any decision or determination whether to invoke that policy (again, the policy is applied in the target server), and moreover, there is no suggestion that different possible courses of action would be executed by the source server depending on the outcome of such a decision/determination. As such, in contrast with claim 50, there is no disclosure or suggestion that a storage server makes a decision whether or not to invoke a policy engine based on whether a client request satisfies a specified criterion associated with a specified policy of the policy engine, or that the storage server directly satisfies the client request if the client request does not satisfy a specified criterion associated with a specified policy of the policy engine but invokes the policy engine if the client request satisfies the specified criterion.

Corbin also does not disclose or suggest the limitations as substantially recited in claim 50. Corbin discloses an apparatus and method for licensing software on a network of computers, and is directed to providing network-wide protection against unauthorized use of software applications in a network of computers (Abstract, Corbin). There is no disclosure or suggestion that a storage server makes a decision whether or not to invoke a policy engine based on whether a client request satisfies a specified criterion associated with a specified policy of the policy engine, or that the storage server directly satisfies the client request if the client request does not satisfy a specified criterion associated with a specified policy of the policy engine, but does invoke the policy engine if the client request satisfies the specified criterion. Therefore, neither

Dawson, nor Corbin, nor any combination thereof, discloses a policy engine that is invoked after determining that a client request satisfies a specified criterion associated with a specified policy of the policy engine, or that the storage server directly satisfies the client request if the client request does not satisfy a specified criterion associated with a specified policy of the policy engine.

Claims 63 and 73 essentially include the limitations of claim 50, therefore, claims 63 and 73 are believed to be patentable over the cited art.

For at least the above reasons, therefore, the present invention is believed to be patentable over the cited art.

Applicants have not necessarily discussed here every reason why every pending independent claim is patentable over the cited art; nonetheless, Applicants are not waiving any argument regarding any such reason or reasons. Applicants reserve the right to raise any such additional argument(s) during the future prosecution of this application, if Applicants deem it necessary or appropriate to do so.

Dependent Claims

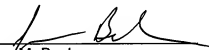
In view of the above remarks, a specific discussion of the dependent claims is considered to be unnecessary. Therefore, Applicants' silence regarding any dependent claim is not to be interpreted as agreement with, or acquiescence to, the rejection of such claim or as waiving any argument regarding that claim.

CONCLUSION

For the foregoing reasons, the present application is believed to be in condition for allowance, and such action is earnestly requested. The Director is authorized to charge Deposit Account 50-2207 for any fees associated with this submission.

Respectfully submitted,

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